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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/547,842

05/15/2006

Lorenzo A Pinna

2503-1169

9682

466

7590

06/23/2008

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EXAMINER

GRUN, JAMES LESLIE

ART UNIT

PAPER NUMBER

1641

MAIL DATE

DELIVERY MODE

06/23/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10547842	5/15/06	PINNA ET AL.	2503-1169

YOUNG & THOMPSON
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EXAMINER

JAMES L. GRUN

ART UNIT**PAPER**

1641

06112008

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The sequence of the anaplastic lymphoma kinase protein is essential material in the description of the invention, relevant also for properly assessing prior art and building a comprehensive database. The incorporation of essential material in the specification by reference to a foreign application or patent, or to a publication is improper. Applicant is required to amend the disclosure to include the material incorporated by reference. The amendment must be accompanied by an affidavit or declaration executed by the applicant, or a practitioner representing the applicant, stating that the amendatory material consists of the same material incorporated by reference in the referencing application. *In re Hawkins*, 486 F.2d 569, 179 USPQ 157 (CCPA 1973); *In re Hawkins*, 486 F.2d 579, 179 USPQ 163 (CCPA 1973); *In re Hawkins*, 486 F.2d 577, 179 USPQ 167 (CCPA 1973).

Once incorporated, the disclosure of the anaplastic lymphoma kinase protein sequence must comply with the requirements of 37 CFR §§ 1.821 through 1.825. Applicants are required by this Office action to comply. Applicants must direct the entry of "SEQ ID NO:" identifiers for every appearance of sequences in the description or claims of the patent application. Applicants must also provide a statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d). Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g).

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the SEQUENCE RULES, 37 CFR §§ 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR § 1.136. In no case may an applicant extend the period for response beyond the SIX MONTH statutory period. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James L. Grun, Ph.D., whose telephone number is (571) 272-0821. The examiner can normally be reached on weekdays from 9 a.m. to 5 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Long Le, SPE, can be contacted at (571) 272-0823.

Any questions regarding compliance with the sequence rules requirements specifically should be directed to the departments listed at the bottom of the Notice To Comply.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/J. L. G./

Examiner, Art Unit 1641

June 23, 2008

/Long V Le/

Supervisory Patent Examiner, Art Unit 1641